

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROCK ROOFING LLC,

Plaintiff,

v.

Civ. No. 18-1193 RB/GBW

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA,

Defendant.

ORDER DIRECTING DEFENDANT TO PAY SANCTIONS

THIS MATTER is before the Court pursuant to the Court's Sealed Order to Show Cause (*doc. 38*), Plaintiff's Notice of Filing of Attorney-Fee Affidavit (*doc. 42*), and the Court's Order Regarding Objections to Plaintiff's Fee Affidavit (*doc. 43*).

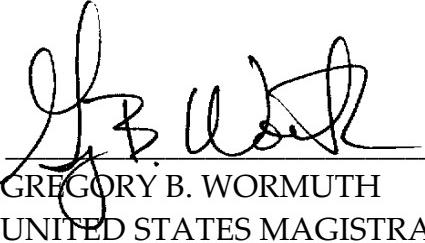
In its Sealed Order to Show Cause, the Court directed Defendant to show cause in writing no later than August 8, 2019, why the Court should not impose sanctions to include a \$600 fine and Plaintiff's reasonable attorney's fees and other costs of attending the June 27, 2019 settlement conference. *See doc. 38* at 5. However, the Court further stated that "Defendant need not file a response should it wish to concede the appropriateness of such sanctions." *Id.* Indeed, Defendant filed no response and thus conceded their appropriateness.

Subsequently, Plaintiff filed an affidavit detailing its fees and costs on August 20, 2019, as directed by the Court. *See doc. 42.* On August 21, 2019, the Court issued an

order directing Defendant to file any objections to the reasonableness of Plaintiff's fee affidavit no later than August 27, 2019. *See doc. 43.* Defendant filed no objections thus conceding the reasonableness of the fees and costs sought by Plaintiff.

Therefore, Defendant Travelers Casualty and Surety Company of America is
ORDERED to pay no later than **September 20, 2019:**

- (1) To the Clerk of Court, a fine of \$100 per day for each day after the deadline that Defendant's confidential position statement was not provided to the Court, as outlined in the Order Setting Settlement Conference (*doc. 37 at 4*), in the total amount of **\$600**.
- (2) To Plaintiff Rock Roofing LLC, attorney's fees and other costs incurred in attending the settlement conference (*doc. 42*) in the amount of **\$6,926.85**.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE